

Bill Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 33, A bill to be entitled "An Act amending Chapter 54, Acts of the 53rd Legislature, First Called Session, 1954, known as Senate Bill No. 45, so as to provide a method for selecting qualified jurors in courts of the 25th Judicial District of Texas; and declaring an emergency."

Senate Resolution 31

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery the government and Texas history class of the Northeast High School of San Antonio, Texas, accompanied by Mr. Alfred Buxton, and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens are here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Latimer, by unanimous consent, presented the students and teacher to the Members of the Senate.

Adjournment

On motion of Senator Moffett, the Senate at 11:37 o'clock a. m. adjourned until 10:30 o'clock a. m. on Monday, January 31, 1955.

Record of Vote

Senator Phillips asked to be recorded as voting "Nay" on the motion to adjourn.

ELEVENTH DAY

(Monday, January 31, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Holy Father, out of the yester-years, we have come to where and what we are. Truly, we are a part of all we have met. Teach us how to profit by the past, to live earnestly in the present and to look hopefully into the future; remembering always that Thou hast said, "as thy days, so shall thy strength be." We pray in Christ's name and for His sake. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 27, 1955, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hazlewood was granted leave of absence for today and the remainder of the week on account of illness on motion of Senator Owen.

Senator Rogers of Travis was granted leave of absence for today on account of important business on motion of Senator Phillips.

Message from the House

Hall of the House of Representatives,
Austin, Texas
January 31, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 143, An Act authorizing the payment from existing appropriations of salary increases for the Constitutional Officers of this State pursuant to Article IV of the Constitution of Texas as amended November 2, 1954; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN
Chief Clerk, House of Representatives.

Presentation of Guests

Senator Willis, by unanimous consent, presented Mayor Virgil E. Goodman, and Councilmen O. D. Steward, George W. Lyles, A. W. Bock, J. Q. Scribner and John W. Butler and City Attorney Rex M. Entire of Haltom City to the Members of the Senate.

Senate Bills and Joint Resolution on First Reading

The following Senate Bills and Joint Resolution were introduced, read first time and referred to the committees indicated:

By Senator Moffett:

S. B. No. 134, A bill to be entitled "An Act declaring the State Building Commission created by Section 51-b, Article III of the Constitution of Texas to be a State agency for the purpose of performing the governmental functions outlined therein, with powers of eminent domain, and empowering the Commission to promulgate all necessary rules and regulations for the administration of this Act; providing for the selection and tenure of a Chairman of the Commission and for the employment and qualification of an Executive Director and other necessary employees and assistance and the fixing of their compensation; etc.; and declaring an emergency."

To the Committee on Finance.

By Senator Moffett:

S. B. No. 135, A bill to be entitled "An Act regulating the manufacture, sale, offering for sale, exposing for sale, and distributing for sale of commercial feed in this State; containing a short title; defining terms; prescribing unlawful acts; providing for the registration of commercial feed; exempting products of custom milling, custom mixing, and toll milling; levying an inspection fee; creating the Feed Control Fund; requiring labeling of commercial feed; defining adulteration of commercial feed; defining

misbranding of commercial feed; providing for inspections and analyses of commercial feed; providing for the detention, seizure, condemnation and sale of commercial feed which does not conform to the provisions of the Act; providing for the enforcement of the Act and for the promulgation of regulations pertaining thereto; defining the power and authority of the Director of the Texas Agricultural Experiment Station in the administration and enforcement of the Act; providing criminal penalties for violations of the Act and for conspiring to perform, performing, or causing to be performed acts declared to be unlawful; vesting discretion in the Director with respect to minor violations; repealing prior and conflicting laws and specifically repealing Articles 1489 to 1498, inclusive, of the Penal Code of the State of Texas (1925), as amended, Articles 3872 to 3881, inclusive, of the Revised Civil Statutes of Texas (1925), as amended, Chapter 14, Acts of the 40th Legislature, Regular Session (1927), Chapter 61, Acts of the 45th Legislature, 2nd Called Session (1937), Chapter 374, Acts of the 50th Legislature, Regular Session (1947), and Chapter 333, Acts of the 53rd Legislature, Regular Session (1953); containing a severability and savings clause; making an appropriation; and declaring an emergency."

To the Committee on Agricultural Affairs.

By Senator Strauss:

S. B. No. 136, A bill to be entitled "An Act amending Section 6, of Senate Bill 45, Acts of the 53rd Legislature, First Called Session, 1954, Chapter 54, page 119, to extend the time of existence of the Special 25th Judicial District Court of the Counties of Guadalupe, Gonzales, Lavaca and Colorado; and declaring an emergency."

To the Committee on Judicial Districts.

By Senator Aikin:

S. B. No. 137, A bill to be entitled "An Act creating the Texas Commission on Higher Education; providing for appointments of its members and their terms of office; providing for filling vacancies in its membership; providing rules and regulations for the transaction of its business; providing for expenses of members; prescribing times and place of meetings; authorizing employment of personnel and

prescribing the qualifications of the Director; placing certain duties on the Council of College Presidents of State-supported institutions; prescribing the purpose, duties and functions of the Commission; providing for reports to the Governor and to the Legislature; imposing certain duties on all State-supported institutions of higher learning and other State agencies; providing for hearings before the Commission; repealing Chapter 39, Acts of the Forty-first Legislature, First Called Session, 1929, and Chapter 10, Acts of the Forty-first Legislature, Second Called Session, 1929, as amended, and other Acts and parts of Acts inconsistent with the provisions of this Act; containing a severability clause; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Bracewell:

S. B. No. 138, A bill to be entitled "An Act setting forth the manner and form in which stock certificates shall be issued by any corporation organized under the laws of the State of Texas and how such stock certificates shall be signed, whether by officers of such a corporation or by a transfer agent or assistant transfer agent, and providing for the use of a facsimile or printed corporate seal, and facsimile signature of officers of such corporations; and providing for the use of a facsimile or printed corporate seal and the use of facsimile signatures by certain officers of such a corporation on bonds, debentures and other evidences of indebtedness when such securities are authenticated by the manual signature of an officer of the corporation or other trustee appointed or named by the indenture or trust or other agreement under which such securities are issued; and declaring an emergency."

To the Committee on State Affairs.

By Senator Willis:

S. B. No. 139, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution comprising the territory contained within the City of Haltom City in Tarrant County, Texas, for the purpose of providing a source of water supply for municipal, domestic and industrial use and processing and transporting the same; providing for the annexation of additional territory thereto; providing for

a board of directors for the government of said district; authorizing the district to do all things necessary to make available for municipal and industrial uses, the water from streams within and without the district, water from underground sources, and water it may obtain by purchase, lease and operation contracts with cities, persons, firms, corporations and public agencies; authorizing the issuance of bonds and providing for the payment and security thereof; making applicable to the district, Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain General Laws relating to water control and improvement districts; prescribing the other powers of the district; enacting other provisions relating to this subject; and declaring an emergency."

To the Committee on Water Rights, Irrigation and Drainage.

By Senator Willis:

S. B. No. 140, A bill to be entitled "An Act conferring upon the Game and Fish Commission power and authority to regulate, by proclamation, order, rule, or regulation, the taking of the wildlife resources of this State; making provisions relative to investigations by the Commission with respect to wildlife resources, adoption and enforcement of orders, rules and regulations, issuance of permits, issuance and forfeiture of licenses, and related matters; prescribing offenses and providing penalties; authorizing the taking of affidavits relative to violations and prescribing a penalty for false swearing; repealing certain laws; fixing the effective date of the Act; providing for severability; and declaring an emergency."

To the Committee on Game and Fish.

By Senator Phillips:

S. B. No. 141, A bill to be entitled "An Act creating Road District No. 31 of Brazoria County, Texas, under authority of Sec. 52, Article 3, Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof; making it a body corporate and taxing district; describing the boundaries of said district and including provisions relating thereto; granting said district the authority to issue bonds and containing provisions relating to said bonds and the

issuance thereof; providing that the fact that said district may overlap other road districts shall not affect said district or the powers granted by this Act; providing for the assumption of bonds of road districts included within said district; containing provisions with respect to abolishing road districts included within said district; providing that proceeds of bonds issued by said district may under certain conditions be used within the limits of incorporated cities and towns included within said district; providing a severability clause; and declaring an emergency."

To the Committee on Counties and County Boundaries.

By Senator Rogers of Childress:

S. B. No. 142, A bill to be entitled "An Act amending Article 527 of the Penal Code of the State of Texas, 1925, as amended by Section 1 of Senate Bill No. 28, Chapter 35, Acts of the Forty-eighth Legislature, Regular Session, 1943, relating to immoral or depraved publications, motion pictures, penny arcade machine pictures and indecent objects, so as to provide that the editing, publishing or dissemination of any newspaper, book, pamphlet, magazine or any printed paper devoted mainly to the publication of scandals, whoring, lechery, assignation, intrigues, between men and women and immoral conduct of persons, or of depraved acts showing violent brutality, or the possession or keeping for sale or distribution or assisting in the sale or distribution of any such newspaper, book, pamphlet, magazine or printed matter, or the showing of lewd, lascivious, obscene, indecent, immoral pictures, or of pictures of acts showing violent brutality, on the cover, jacket, or frontispiece of any newspaper, book, pamphlet, magazine, or any printed matter so as to represent that such newspaper, book, pamphlet, magazine or printed matter is devoted mainly to the publication of scandals, whoring, lechery, assignations, intrigues between men and women and immoral conduct of persons, or of depraved acts showing violent brutality, or to show, exhibit or display any such obscene, immoral or depraved cover, jacket, or frontispiece shall be a misdemeanor offense, and also making it unlawful for any person, firm, or corporation, or any agent or servant thereof, acting as a wholesale distributor or news agency to require, or demand of, any person,

firm, or corporation selling goods, wares, and merchandise at retail to purchase or accept from such distributor or agency any particular newspaper, book, pamphlet, magazine or printed matter in order that such retailer might purchase or secure from such distributor or agency any other newspaper, book, pamphlet, magazine, or printed matter, providing a penalty for violations of this Act; repealing all laws in conflict with this Act in so far as they conflict with this Act; and declaring an emergency."

To the Committee of Criminal Jurisprudence.

By Senator Aikin:

S. J. R. No. 5, Proposing an amendment to the Constitution of the State of Texas by repealing Section 48a, Article III of the Constitution of the State of Texas, and substituting therefor a new Section 48a, authorizing needed changes in and revision of the Teacher Retirement System of Texas, providing for the necessary election, form of ballot, proclamation, and publication, and making an appropriation to defray the necessary expenses of proclamation, publication, and holding the election.

To the Committee on Constitutional Amendments.

Report of Standing Committee

By unanimous consent, Senator Fly submitted the following report:

Austin, Texas,
January 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 141, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLY, Chairman.

Senate Concurrent Resolution 7

Senator Ashley offered the following resolution:

S. C. R. No. 7, Providing for Committee to select Poet Laureate and alternate Poet Laureate for the State:

Whereas, There is a close connection between the long growth of civilization and the development of literature; and

Whereas, It has been customary in all ages for governments to recognize this relation by elevating the poet to the same plane as statesman and military leader; and

Whereas, The recognition of outstanding poets in this State and their elevation to places of honor will have a wholesome and beneficial effect on literature in this State; and

Whereas, The Legislature of the State of Texas has for several sessions established the policy sought by this resolution to be continued; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That there shall be named a committee of five (5) to appoint and designate some outstanding and recognized poet who is a citizen of Texas, who shall be Poet Laureate of the State of Texas for a period of two (2) years from such appointment and designation; that said committee shall consist of two (2) Members of the Senate to be named by the Lieutenant Governor, two (2) Members of the House to be named by the Speaker, and said committee shall meet with the Governor who is hereby designated as the fifth member of the committee; or if the Governor does not serve, he is hereby authorized to designate the fifth member of the committee; and be it further

Resolved, That an alternate Poet Laureate with the same qualifications of the Poet Laureate be appointed for the same period of time, who shall serve in the event of the death or resignation of the Poet Laureate.

The resolution was read.

On motion of Senator Ashley, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 8

Senator Secrest offered the following resolution:

S. C. R. No. 8, Congratulating Dr. Arthur Tyson and Mary Hardin-Baylor College.

Whereas, Doctor Arthur Tyson was inaugurated on January 29, 1955, on the one hundred and tenth anniversary of the founding of Mary Hardin-Baylor College, as the President of this foremost college for women; and

Whereas, Doctor Tyson was graduated from the Calvert Public Schools, receiving a Bachelor of Arts Degree from Baylor University and a Master

of Arts Degree from Southern Methodist University; and

Whereas, Doctor Tyson did graduate study at the Louisiana State University and received an honorary Doctor of Law Degree from East Texas Baptist College; and

Whereas, Doctor Tyson has made an outstanding record in the field of public school education; and

Whereas, Doctor Tyson has been prominent in the field of religious education and his name will appear in the next edition of "Who's Who in American Education"; and

Whereas, Doctor Tyson was married in 1940 to Miss Arla Irene Ray, a former student of Mary Hardin-Baylor College; and

Whereas, Doctor and Mrs. Tyson and their son Morris Sheppard Tyson are now becoming a part of Mary Hardin-Baylor College and of the City of Belton; and

Whereas, It is appropriate for the Legislature of Texas to recognize the historic occasion of Doctor Tyson's inauguration as President of Mary Hardin-Baylor College; now therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That we congratulate Doctor Tyson and that copies of this resolution be sent to Doctor Tyson and to Mary Hardin-Baylor College.

The resolution was read.

On motion of Senator Secrest, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 9

Senator Moffett offered the following resolution:

S. C. R. No. 9, Granting W. C. Frey permission to sue the State of Texas.

Whereas, W. C. Frey is asserting title to and claims the following tract of land situated in Archer County, Texas, out of the M. B. Lamar Survey, described as follows:

Beginning at a point on the North Bank of the Big Wichita River where old fence line located on the West Line of the M. B. Lamar Survey crosses said river bank from which point the Northeast corner of concrete manhole in the North Abutment wall of Diversion Dam Spillway bears South 7 deg. 05' East 692 feet, Elm Tree branches bears North 30 deg. 50' East 838 feet.

Thence North with old fence line 3147 feet to pile of stone on the upper edge of embankment supposed to be old river bank from which an Elm Tree 16" in diameter bears South 49 deg. 15' East 26.7 feet, another Elm 12" in diameter bears South 46 deg. 05' West 99 feet, this pile of stone is also 1132 feet South of the fence line as now located on the North line of the M. B. Lamar Survey;

Thence in an Easterly direction along the edge of said embankment as follows: North 70 deg. 20' East 750 feet; South 69 deg. 30' East 870 feet; North 54 deg. 55' East 950 feet; South 78 deg. 10' East 845 feet; South 53 deg. 10' East 550 feet to point on the North Bank of Big Wichita River from which a mesquite 12" in diameter bears North 44 deg. 15' East 112 feet another mesquite 6" in diameter bears North 4 deg. West 15 feet an Elm 3" in diameter bears North 81 deg. 15' West 331 feet;

Thence up River Bank with its meanders as follows: South 52 deg. 07' West 1000 feet; South 46 deg. 23' West 1002 feet; South 52 deg. 07' West 2002 feet; South 38 deg. 10' West 775.6 feet to the place of beginning and containing 141.92 acres of land; all bearing trees marked with cross with hack above and below. Var. 10 deg. 15' East.

and,
Whereas, the State of Texas claims an easement on said land for a fish hatchery under an easement granted by Johnnie P. Griffin to Turner E. Hubby, dated November 2, 1926, but not filed for record until September 13, 1945; and,

Whereas a valid controversy exists as to the ownership of said lands and the right of the parties thereto; and,

Whereas, the said W. C. Frey, without permission from the Legislature, is unable to litigate his claim against the State Game and Fish Commission and the State of Texas and it is desired by said W. C. Frey to have authority to litigate title and rights in and to said land as between him on the one hand and the State of Texas and the Game and Fish Commissioner on the other; now, therefore, be it

Resolved, by the Senate and the House of Representatives of the State of Texas concurring that said W. C. Frey is hereby granted permission to sue the State of Texas and the said Game and Fish Commission to determine the validity of the title to said tract of land and whether or not the

State of Texas, even though possessive of the power of eminent domain, should recompense and pay to said W. C. Frey the value thereof.

It is especially understood that the purpose of this resolution is to grant the said W. C. Frey, his heirs and assigns, permission to sue the State of Texas and the State Game and Fish Commission, and nothing herein shall be construed as an admission of liability upon the State and the facts upon which the prospective Plaintiff shall seek to recover must be proved as in any other case, if not agreed to by the Attorney General, upon the trial of the case or cases.

Service of citation for the purpose herein granted may be had upon the State of Texas and the State Game and Fish Commission by serving the Attorney General of Texas and the State Game and Fish Commission.

Venue herein shall lie in the District Court of Archer County, Texas, where-in the land is situated.

The resolution was read and was referred to the Committee on Civil Jurisprudence.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas
January 31, 1955

To the Senate of the Fifty-fourth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Secretary of State to succeed C. E. Fulgham, resigned, effective February 15, 1955,

Al Muldrow of Brownfield, Terry County.

Respectfully submitted,
ALLAN SHIVERS
Governor of Texas.

Bill Ordered Not Printed

On motion of Senator Phillips, and by unanimous consent, S. B. No. 141 was ordered not printed.

Senate Bill 64 on Second Reading

Senator Latimer moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 64 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis
Moffett	

Nays—1

Hardeman

Absent

Fuller Weinert

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 64, A bill to be entitled "An Act amending Sections 1, 3, and 4 of Chapter 302 of the Acts of the 52nd Legislature, 1951, as amended, to make the Act applicable to counties of five hundred thousand (500,000) or more population, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 64 on Third Reading

Senator Latimer moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 64 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fly	Moffett
Fuller	Moore
Kazen	Owen
Kelley	Parkhouse

Phillips	Secrest
Ratliff	Shireman
Roberts	Strauss
Rogers	Wagonseller
of Childress	Willis

Nays—1

Hardeman

Absent

Weinert

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Owen
Ashley	Parkhouse
Bracewell	Phillips
Colson	Ratliff
Corbin	Roberts
Fly	Rogers
Fuller	of Childress
Kazen	Secrest
Kelley	Shireman
Latimer	Strauss
Lock	Wagonseller
McDonald	Weinert
Moffett	Willis
Moore	

Nays—3

Hardeman Martin
Lane

Absent—Excused

Hazlewood Rogers of Travis

Senate Bill 39 on Second Reading

Senator Martin moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 39 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hardeman
Ashley	Kazen
Bracewell	Kelley
Colson	Lane
Gorbin	Latimer
Fly	Lock
Fuller	Martin

McDonald	Rogers
Moffett	of Childress
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Willis
Roberts	

Absent

Weinert

Absent—Excused

Hazlewood

Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 39, A bill to be entitled "An Act to provide for suit against a parent who fails to provide for the support and maintenance of his or her child or children under eighteen years old; providing for suit between parents to determine custody in certain cases; providing for venue, process, hearing and orders; providing further for punishment as for contempt for violation or failure to obey any orders; providing for payment to the district clerk; providing for procedure in the event a divorce action is filed and child support and child custody orders are entered therein; making this Act cumulative of other remedies; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 39 on Third Reading

Senator Martin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 39 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Latimer
Ashley	Lock
Bracewell	Martin
Colson	McDonald
Corbin	Moffett
Fly	Moore
Fuller	Owen
Hardeman	Parkhouse
Kazen	Phillips
Kelley	Ratliff
Lane	Roberts

Rogers	Strauss
of Childress	Wagonseller
Secrest	Weinert
Shireman	Willis

Absent—Excused

Hazlewood

Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Nays—1

Fly

Absent—Excused

Hazlewood

Rogers of Travis

Committee Substitute Senate Bill No. 13 on Second Reading

Senator Weinert moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that C. S. S. B. No. 13 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Secrest
Latimer	Shireman
Lock	Strauss

Wagonseller Willis
Weinert

Nays—1

Moore

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 13, A bill to be entitled "An Act to amend Chapter 21 of the Insurance Code (Acts 52nd Leg., R. S. 1951, Ch. 491, p. 868) by adding thereto a new Subchapter to be designated 'Subchapter F. Judicial Review' and a new Article to be numbered 'Article 21.44' providing for the judicial review of any regulation, order, decision, or administrative ruling of the Insurance Commission where not otherwise provided for in the Insurance Code; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute

Senate Bill No. 13 on Third Reading

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Nays—1

Moore

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moffett
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Nays—1

Moore

Absent—Excused

Hazlewood Rogers of Travis

Resolution Signed

The President signed in the presence of the Senate, after the caption had been read, the following enrolled resolution:

H. C. R. No. 16, Proclaiming sympathy and friendship for the oppressed people of Russia, etc.

House Bill on First Reading

The following bill received from the House today was read first time and referred to the committee indicated:

H. B. No. 143, To the Committee on Finance.

Senate Bill No. 57 on Second Reading

Senator McDonald moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 57 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Fly
Ashley	Fuller
Bracewell	Hardeman
Colson	Kazen
Corbin	Kelley

Lane	Ratliff
Latimer	Roberts
Lock	Rogers
Martin	of Childress
McDonald	Secrest
Moffett	Shireman
Moore	Strauss
Owen	Wagonseller
Parkhouse	Weinert
Phillips	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 57, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting by the Executive Director thereof, to execute and deliver to the State Highway Commission of Texas a right-of-way easement to certain land in Smith County, Texas, for the construction, reconstruction and maintenance of a state highway extending along or across certain state property known as East Texas Tuberculosis Hospital, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 57 on Third Reading

Senator McDonald moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S.B. No. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

Senate Bill No. 109 on Second Reading

Senator Willis moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 109 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 109, A bill to be entitled "An Act relating to workmen's compensation; amending Section 15a of Article 8306, Revised Civil Statutes,

as amended, and Chapter 248, Acts of the 42nd Legislature, Regular Session, as amended, so as to make these statutes apply to compensation payable under any law enacted pursuant to Section 59, Section 60, or Section 61 of Article III of the Constitution of Texas; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 109 on Third Reading

Senator Willis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 109 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill No. 79 on Second Reading

Senator Weinert moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 79 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Ashley	Corbin
Bracewell	Fly

Fuller	Parkhouse
Hardeman	Phillips
Kazen	Ratliff
Kelley	Roberts
Lane	Rogers
Latimer	of Childress
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Weinert
Owen	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 79, A bill to be entitled "An Act regulating the take, catch, and disposition of fish and minnows from the lakes, ponds, rivers, or creeks within the boundaries of Comal County; prohibiting the use of poisons, drugs, explosives, and substances or things deleterious to fish in said waters; providing penalties for violation; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 79 on Third Reading

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 79 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

Senate Bill No. 96 on Second Reading

Senator Weinert moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 96 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 96, A bill to be entitled "An Act making it unlawful for any person to take or attempt to take

more than two (2) wild turkey gobblers during any one open season in Comal County; prescribing a penalty for violation of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 96 on Third Reading

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 96 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Reports of Standing Committee

By unanimous consent Senator Fly submitted the following reports:

Austin, Texas,
January 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 124, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Austin, Texas
January 31, 1955

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 123, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

Senate Bill 141 on Second Reading

Senator Phillips moved that Senate Rules 116, 32 and 38 and Section 5 of Article III of the State Constitution be suspended and that S. B. No. 141 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 141, A bill to be entitled "An Act creating Road District No. 31 of Brazoria County, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 141 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended, the President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Absent—Excused

Hazlewood Rogers of Travis

Adjournment

On motion of Senator Hardeman the Senate at 11:43 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

TWELFTH DAY

(Tuesday, February 1, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Hazlewood

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we have all sinned and come short of the glory of God. Forgive us, we pray, for our sins in